

**FORM TO BE USED BY A PRISONER IN FILING A COMPLAINT
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983**

**UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

Aug 10-05

Charles Francis Cardone

(Enter above the full name of the plaintiff in this action)

V.

- Jonathon BAKER - Correctional Officer

05 - 600

- Correctional Officer Chaffinch

- SCI Warden Richard Kearney
(Enter above the full name of the defendant(s) in this action)



I. Previous lawsuits

A. Have you begun other lawsuits in state or federal courts dealing with the same facts involved in this action or otherwise relating to your imprisonment?

YES [☒] NO [☐]

B. If your answer to A is yes, describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline).

1. Parties to this previous lawsuit

Plaintiffs

SEE - "another piece of paper"

Defendants

// // // // // //

I Previous lawsuits 42 U.S.C. §1983 — Aug 6, 05

A. Yes

(1)

B. I am filing a prisoner complaints under the Civil Rights Act, 42 U.S.C. §1983. On the approximate date of July 25, 2005, I sent one of these complaints under the Civil Rights Act, 42 U.S.C. §1983 to the Clerk of U.S. District Court in Wilmington, DE, along with written statements and other materials describing (to the best of my abilities) the attempted murders of by Sussex Correctional Institutions Correctional Officers and the assaults by those defendants on me, Charles F. Cardone. As of the above date, the Clerk has not responded to the complaints I sent 'the Court' on July 25, 2005. Thus, I am sending this Complaint of August 6, 2005 to the the Clerk of the Court.

1. I, Charles F. Cardone, am the Plaintiff of this Aug. 6, 2005 and July 25, 2005, Complaint.

Defendants — Warden Raphael Williams
 — Chief Bureau Prisons Paul W. Howard
 — Ruth Ann Minner — Governor

* Con't →

Con't. - I, Previous lawsuits / 424.5.C §1983

(2)

Aug. 6, 05

1. Defendants -

- Delaware Department of Corrections
- Multi Purpose Criminal Justice Facility (Gander Hill)

* SCI - Warden Rick Kearney
 - Sgt. Barry Biles
 - C/O Ryan Morgan

2. -

3. - 1:03-CV-00514-KAJ
 1:02-CV-01609-KAJ
 1:00-CV-00118-RRM

4. - KAJ-KAJ-RRM

5. 00514 - Dismissed w/out prejudice - Failure to Pros.
 01609 - Dismissed as Frivolous
 00118 - Dismissed for failure to sub trust acct. state...

~~IV~~ - Statement of Claims:

* As per the date above, Aug 6, 2005,
 I, Charles F. Cardone, have included prior
 1983's that have been dismissed, swept

3

Aug 6, 05

1983 s Continued...

* under the rugs, etc., let us try, now, to right the various wrongs inflicted on me by the various institutions, (prisons) of Delaware and their agents I am naming as defendants in these various 42:1983 Prisoner Civil Rights violations. I am including in the wrongs, "the attempted murder of me by agents of the State of Delaware," the brutal and unnecessary, malicious, pre meditated, attempts to kill me while my hands were handcuffed behind my back and my feet shackled together... the many times I was punched in the head, punched and kicked in ~~the~~ my head and other, various, parts of my body. These murderous attempts to kill me were done blatantly, while these named defendants were safe in their beliefs and assumptions

that they could and would, be exonerated by their employers ~~and~~ the State who repeatedly, and continually, allow these agents to ~~do~~ do the aforementioned, in front of witnesses I shall present when the State decides to take my allegations to a jury to decide my fate. — On these 1983's I have filed, and will file, the word DEMAND: ^{\$} 0 appears... that could not be further from the truth... my demands, at this time, (Aug 6, 2005) are these: I want a complete physical, mental, and any other kind of examination available to me to diagnose and prognose the results of these various attempts on my life... then we will discuss monetary damages —

Wilmington

3. Docket number See-¹ attached
4. Name of judge to whom case was assigned ATTACHED
5. Disposition (for example: Was the case dismissed? Was it appealed?
Is it still pending?) ATTACHED
6. Approximate date of filing lawsuit ^①5-28-03, ^②11-05-02, ^③2-24-00
7. Approximate date of disposition ^①8-11-03, ^②9-30-03, ^③4-13-00

II. A. Is there a prisoner grievance procedure in this institution? Yes [☒] No [☐]

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure? Yes ☒ No ☐

C. If your answer is YES,

1. What steps did you take? I took all steps available
w/ no results
2. What was the result? ————— you tell me
then, we will both know

D. If your answer is NO, explain why not

E. If there is no prison grievance procedure in the institution, did you complain to prison authorities? Yes [] No []

F. If your answer is YES,

1. What steps did you take? _____
2. What was the result? _____

III. Parties

(In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of Plaintiff Charles F. Cardone
Address Bldg (18) C5U

(In item B below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use item C for the names, positions, and place of employment of any additional defendants.)

B. Defendant SEE Attached is employed as _____
_____ at _____

C. Additional Defendants _____

IV. Statement of Claim

(State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheet if necessary.)

SEE Attached

V. Relief

(State briefly exactly what you want the court to do for you. Make no legal arguments.
Cite no cases or statutes.)

SEE Attached

*I want a complete physical, mental, neurologing,
examinations from the top of my head, to the tips of
my toes and all points in between. Prison medical
facilities and personnel are excluded in any and all

Signed this 6 day of Aug, 19 2005

Charles F. Carbone
(Signature of Plaintiff)

I declare under penalty of perjury that the foregoing is true and correct.

Aug 6, 05
Date

Charles F. Carbone
(Signature of Plaintiff)

of the aforementioned. I want, and need, medical
attention and I need it quickly... I ~~have~~ have
been in contact with the courts, (State + Federal),
prison medical personnel, State Police of Delaware,
and the defendants named in this action (to include
my court appointed attorney, Michael A. Brom, of Ed
Gill's office in Georgetown about these attempts (s)

on my life... nobody knows, or does, anything. I want
millions of dollars in punitive damages, for a start.

cfe 8-10-05

1/M Charles F. Carlone
SBI# 098159 UNIT Bldg
DELAWARE CORRECTIONAL CENTE
1181 PADDOCK ROAD
SMYRNA, DELAWARE 19977

CERTIFIED MAIL[®]



7003 2260 0002 9200 8593



Victor J. Daller
Peter Daller

US District Court
Lockbox 18
844 N. King St
Wilm. DE

19801081
U.S. MAIL
EX-RATE

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* *Please certify + Return*